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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF

**DECLARATION OF JOHN M. NEUKOM  
IN SUPPORT OF CISCO'S OPPOSITION  
TO ARISTA'S *MOTIONS IN LIMINE*  
NOS. 1-5**

**DEMAND FOR JURY TRIAL**

**DECLARATION OF JOHN M. NEUKOM**

I, John M. Neukom, declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am a partner with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. ("Cisco"). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Cisco's Opposition to Arista's *Motions In Limine* Nos. 1 through 5.

3. A search of our production database (conducted by a team here at Quinn Emanuel, with my direction and participation) indicates that Cisco has during this litigation produced to Arista's counsel 1,367 documents that reference Jeff Reed; 3,767 documents that reference David Ward; and 67 documents that reference Mallun Yen. Information from our production database also indicates that documents referencing each of these three individuals was produced at least as early as July 21, 2015.

4. According to our records, Arista had taken 21 of its allotted 25 depositions as of May 3, 2016.

5. Attached hereto as Exhibit 1 is a true and correct copy of the June 23, 2016 Commission Opinion regarding the United States International Trade Commission's Investigation No. 337-TA-944.

6. Attached hereto as Exhibit 2 is a true and correct copy of Arista's Amended Trial Witness List served September 21, 2016.

7. Attached hereto as Exhibit 3 is a true and correct copy of Cisco Systems, Inc.'s Complaint filed against Huawei Technologies et al., Civil Action 2:03-cv-00027, filed in the United States District Court for the Eastern District of Texas, Marshall Division on January 22, 2003.

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DECLARATION OF JOHN M. NEUKOM IN SUPPORT OF  
CISCO'S OPPOSITION TO ARISTA'S *MOTIONS IN LIMINE* NOS. 1-5  
Case No. 5:14-cv-05344-BLF

1           8.       Attached hereto as Exhibit 4 is a true and correct copy of the Declaration of Charles  
2 Giancarlo in Support of Plaintiff Cisco's Motion for Preliminary Injunction, filed on February 3,  
3 2003 in the above Cisco v. Huawei action.

4           9.       Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the April  
5 25, 2016 deposition transcript of Charles Giancarlo.

6           10.      Attached hereto as Exhibit 6 is a true and correct copy of Plaintiff Cisco Systems,  
7 Inc.'s First Supplemental Initial Disclosures served on May 3, 2016.

8           11.      Attached hereto as Exhibit 7 is a true and correct copy of a March 30, 2016 letter  
9 from Amy Candido to Eduardo E. Santacana.

10          12.      Attached hereto as Exhibit 8 is a true and correct copy of is a March 30, 2016 email  
11 from Eduardo E. Santacana to Amy Candido et al.

12          13.      Attached hereto as Exhibit 9 is a true and correct copy of a May 22, 2016 email to  
13 Brian Ferrall et al.

14          14.      Attached hereto as Exhibit 10 is a true and correct copy of a May 24, 2016 email  
15 from Brian Ferrall to Amy Candido et al.

16          15.      Attached hereto as Exhibit 11 is a true and correct copy of Defendant Arista  
17 Networks, Inc.'s First Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
18 Procedure 26(A)(1) served March 10, 2016.

19          16.      Attached hereto as Exhibit 12 is a true and correct copy of Defendant Arista  
20 Networks, Inc.'s Second Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
21 Procedure 26(A)(1) served May 5, 2016.

22          17.      Attached hereto as Exhibit 13 is a true and correct copy of Defendant Arista  
23 Networks, Inc.'s Third Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
24 Procedure 26(A)(1) served May 23, 2016.

1           18.     Attached hereto as Exhibit 14 is a true and correct copy of Defendant Arista  
2 Networks, Inc.'s Fourth Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
3 Procedure 26(A)(1) served May 26, 2016.

4           19.     Attached hereto as Exhibit 15 is a true and correct copy of Defendant Arista  
5 Networks, Inc.'s Fifth Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
6 Procedure 26(A)(1) served May 31, 2016.

7           20.     Attached hereto as Exhibit 16 is a true and correct copy of Defendant Arista  
8 Networks, Inc.'s Sixth Supplemental Initial Disclosures Pursuant to Federal Rule of Civil  
9 Procedure 26(A)(1) served August 1, 2016.

10          21.     Attached hereto as Exhibit 17 is a true and correct copy of excerpts from the  
11 February 12, 2016 deposition transcript of Kenneth Duda.

12          22.     Attached hereto as Exhibit 18 is a true and correct copy of excerpts from the  
13 December 18, 2015 deposition transcript of Abhay Roy.

14          23.     Attached hereto as Exhibit 19 is a true and correct copy of a production document  
15 produced in the instant action bearing Bates numbers CSI-ANI-00058278 through CSI-ANI-  
16 00058278.000005 featuring an email exchange including Jeff Reed.

17          24.     Attached hereto as Exhibit 20 is a true and correct copy of a production document  
18 produced in the instant action bearing Bates numbers CSI-ANI00064953 through CSI-  
19 ANI00064953.000048 featuring presentation slides by Jeff Reed.

20          25.     Attached hereto as Exhibit 21 is a true and correct copy of a production document  
21 produced in the instant action bearing Bates number CSI-ANI-00020691 featuring an email  
22 exchange including David Ward.

23          26.     Attached hereto as Exhibit 22 is a true and correct copy of a production document  
24 produced in the instant action bearing Bates numbers CSI-ANI-00020716 through CSI-ANI-  
25 00020716.000001 featuring an email from David Ward.

1           27.     Attached hereto as Exhibit 23 is a true and correct copy of a production document  
2 produced in the instant action bearing Bates number CSI-CLI-02884225 featuring an email from  
3 Mallun Yen.

4           28.     Attached hereto as Exhibit 24 is a true and correct copy of a production document  
5 produced in the instant action bearing Bates number CSI-CLI-02884627 featuring a letter by  
6 Mallun Yen.

7           29.     Attached hereto as Exhibit 25 is a true and correct copy of a May 26, 2016 email to  
8 Elizabeth McCloskey et al. identifying 30(b)(6) topics designated for Christine Bakan.

9           30.     Attached hereto as Exhibit 26 is a true and correct copy of a May 17, 2016 email to  
10 Elizabeth McCloskey et al. identifying 30(b)(6) topics designated for Frank Palumbo.

11           31.     Attached hereto as Exhibit 27 is a true and correct copy of excerpts from the June  
12 22, 2016 deposition transcript of Dylan Cannon identifying designated 30(b)(6) topics.

13           32.     Attached hereto as Exhibit 28 is a true and correct copy of a production document  
14 produced in the instant action bearing Bates numbers ANI-ITC-944\_945-3677481 through ANI-  
15 ITC-944\_945-3677558 and used as Exhibit 376 in the March 17, 2016 deposition of Anshul  
16 Sadana.

17           33.     Exhibit 29 has been intentionally omitted.

18           34.     Attached hereto as Exhibit 30 is a true and correct copy of a production document  
19 produced in the instant action bearing Bates numbers ARISTANDCA12469291 through  
20 ARISTANDCA12469331 and used as Exhibit 378 in the March 17, 2016 deposition of Anshul  
21 Sadana.

22           35.     Attached hereto as Exhibit 31 is a true and correct copy of excerpts from the March  
23 17, 2016 deposition transcript of Anshul Sadana.

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct, and that this declaration was executed in San Francisco, California,  
3 on October 7, 2016.

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5 /s/ John M. Neukom  
6 John M. Neukom  
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